

IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF MISSOURI

AMANDA J. THRALL)
)
Plaintiff,)
)
vs.) Case No. _____
)
WESTERN MISSOURI MEDICAL CENTER,)
)
Defendant.)
)

COMPLAINT

COMES NOW the Plaintiff, Amanda J. Thrall, and for her Complaint against Defendant, Western Missouri Medical Center, states:

1. Plaintiff is a female who resides in Warrensburg, Missouri.
2. Defendant is a corporation organized and existing under the laws of the state of Missouri. Defendant can be served through:

Gregory Vinardi
Administrator
Western Missouri Medical Center
403 Burkhardt Road
Warrensburg, MO 64093

3. This Court has jurisdiction over the subject matter of this case as it involves a federal question arising under 42 U. S. C. §2000e.
4. At all times relevant Defendant was an employer as defined by 42 U. S. C. §2000e.

5. On or about December 16, 2000, Plaintiff filed her Charge of Discrimination with the U. S. Equal Employment Opportunity Commission. The EEOC issued to Plaintiff a Notice of Right to Sue on June 28, 2001, which she received on June 29, 2001.

6. Plaintiff was an employee of Defendant from April 11, 2000, through October 5, 2000, as a Certified Nurses Aide.

7. Plaintiff was pregnant with her first child from May 20, 2000, to February 27, 2001.

8. Defendant was aware, through its agents, of Plaintiff's pregnancy.

COUNT I - PREGNANCY DISCRIMINATION

COMES NOW the Plaintiff and for Count I of her Complaint against Defendant states:

9. Plaintiff hereby incorporates the contents of paragraphs 1 through 8 above as if fully set out here.

10. Defendant treated Plaintiff differently from its non-pregnant employees in that it, among other things:

- a. Told Plaintiff that it would not have hired her had it known that she was pregnant.
- b. Refused to assign Plaintiff to light duty job assignments, when prescribed by Plaintiff's treating physician.
- c. Threatened Plaintiff's employment if her physician placed any physical restrictions on Plaintiff's ability to perform her assigned job.
- d. Promised Plaintiff continued employment if she gave up her child after its birth.

11. All of Defendant's actions were directed against Plaintiff due to her condition of pregnancy.

12. Due to Defendant's conduct, all in violation of 42 U. S. C. §2000e-2, Plaintiff suffered damages in excess of \$75,000.

WHEREFORE, the Plaintiff prays for judgment against Defendant in an amount exceeding \$75,000, consisting of back pay, front pay, compensatory damages, attorneys fees and costs.

COUNT II - RETALIATION

COMES NOW the Plaintiff and for Count II of her Complaint against Defendant, states:

13. Plaintiff hereby incorporates the contents of paragraphs 1 through 12 above as if fully set out here.

14. After Plaintiff experienced Defendant's discriminatory conduct as set out in Count I above, she complained to Defendant's Director of Human Resources.

15. Thereafter, Defendant intentionally retaliated against Plaintiff in that it, among other things:

- a. Wrongfully accused Plaintiff of poor job performance.
- b. Continued to engage in the illegal discriminatory activities set out in Count I above.
- c. Gave her an unfavorable performance evaluation.
- d. Wrongfully discharged from her employment on October 5, 2000.

16. All of these actions were taken in retaliation against Plaintiff for her exercise of her rights under the Civil Rights Act of 1991.

17. Due to Defendant's conduct, all in violation of 42 U. S. C. §2000e-2, suffered damages in excess of \$75,000.

WHEREFORE, Plaintiff prays for judgment against Defendant in an amount exceeding \$75,000, consisting of back pay, front pay, compensatory damages, attorneys fees and costs.

Respectfully submitted,

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(913) 661-0050
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s/ David W. White
DAVID W. WHITE MO #30304
JACQUELINE M. SEXTON KS #19878
Attorneys for Plaintiff

DEMAND FOR TRIAL BY JURY

COMES NOW the Plaintiff, by and through her attorney of record, and demands that her Complaint be tried to a jury of six (6) persons.

Respectfully submitted,

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